

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): JAMES R. MUJWID et al.

Appln. No.: 10/821,298

Filing Date: April 9, 2004

Title: VARIABLE-AXIS
SURGICAL DRIVER

Examiner:

Group Art Unit: 3732

Docket No. 75028-307907

Mail Stop Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

I CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE
TRANSMITTED TO THE U.S. PATENT AND TRADEMARK OFFICE (FAX
NO. (703-)746-4060, ON AUGUST 20, 2004.

Janice Grooms
Janice Grooms

**RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION UNDER 37 C.F.R. § 1.53(d)**

In response to the Notice to File Missing Parts of Application mailed June 22, 2004, Applicant has enclosed herewith the following documents to complete the above-identified application filed April 9, 2004:

1. Copy of Notice to File Missing Parts of Application Filing Date Granted;
2. Two signed Power of Attorney and correspondence address indication forms;
3. Credit Card Authorization Form in the amount of \$1,292.00 to cover the Patent Application Filing Fee and Surcharge Fee.

If the amounts submitted herewith are incorrect for the entry of these papers, the Commissioner is authorized to credit any overpayment or charge any deficit to our Deposit Account No. 06-0029 and is requested to notify us of the same.

Respectfully Submitted,

JAMES R. MUJWID et al.

By:

Tong Wu
Tong Wu, #43,361
FAEGRE & BENSON LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402-3901
612/766-6804

Dated: August 20, 2004

M2:20649461.01

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Date: August 20, 2004

Time: _____ .m. (Minneapolis)

Number of pages (including this page):

F&B File No.: 75028- 307907 Rec.: 993

From: Tong Wu

Telephone Number: 612/766-6804

To: Mail Stop Missing Parts
Commissioner of Patents

Fax No.: 703/746-4060

Inventor(s): JAMES R. MUJWID et al.

Examiner:

Appln. No.: 10/821,298

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Title: VARIABLE-AXIS
SURGICAL DRIVER

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Attached for filing:

Response to Notice to File Missing Parts (1 pg);
Notice to File Missing Parts (2 pgs);
Power of Attorney of inventor Gisel (1 pg);
Power of Attorney of inventor Mujwid (1 pg);
Credit Card authorization form in the amount of \$1,292.

M2:20649453.01

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OIPE/JCWS

If you do not receive all pages, please call the Fax Center at
612/766-1650 or Jan Grooms at 612/766-7814.



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/821,298	04/09/2004	James R. Mujwid	6683.92USU1

Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903

CONFIRMATION NO. 1231
FORMALITIES LETTER
OC000000013023278

Date Mailed: 06/22/2004

08/23/2004 EAREGAY1 00000079 10821298
NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01 FC:1001	770.00 OP
02 FC:1051	130.00 OP
03 FC:1201	86.00 OP
04 FC:1202	306.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees: problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$392 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1292 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.


08/23/2004 EAREGAY1 00000079 10821298
• Total additional claim fee(s) for this application is \$392

01 FC:1001	770.00 OP
02 FC:1051	130.00 OP
03 FC:1201	86.00 OP
04 FC:1202	306.00 OP

- \$86 for 1 independent claims over 3.
- \$306 for 17 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
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A copy of this notice MUST be returned with the reply.


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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE